

September 29, 2005

Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 - 12th Street, SW
Washington, DC 20554

DOCKET FILE COPY ORIGINAL

Irene M. Flannery
Vice President – High Cost and Low Income Division
Universal Service Administrative Company
2000 L Street, NW, Suite 200
Washington, DC 20036

Re: Matanuska Communications, Inc., (formerly Matanuska-Kenai, Inc.)
dba MTA Wireless (MTAW)
SPIN: 143000432
Annual High Cost Loop Certification filing

Dear Ms. Dortch and Ms. Flannery:

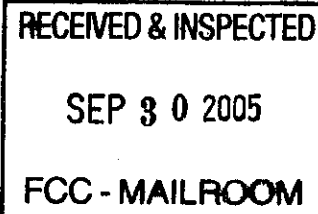
Enclosed is Matanuska Communications Inc.'s (dba MTA Wireless) sworn statement **certifying** that it will use its **High-cost Loop** Universal Service support only for the purpose for which it is intended. This certification is being filed consistent with 47 CFR 54.314 (b) and (c). MTA Wireless is an eligible telecommunications carrier that is not subject to the state jurisdiction.

After receiving its initial ETC designation, Matanuska Kenai, Inc. dba MTA Wireless changed its name from Matanuska Kenai, Inc. to Matanuska Communications, Inc. Also enclosed is a copy of the State Commission order granting the change of name, and transferring ETC designation at the same time.

Please let us know if you need anything additional.

Carolyn Hanson, General Manager

No. of Copies rec'd 0
List ABCDE



In re:)
)
)
Self Certification of MTA)
Wireless of its use of High)
Cost Loop funds) CC Docket 96-45
)
_____)

AFFIDAVIT OF GREGORY BERBERICH

STATE OF ALASKA)
)ss.
THIRD JUDICIAL DISTRICT)

Gregory Berberich, being first duly sworn, state as follows:

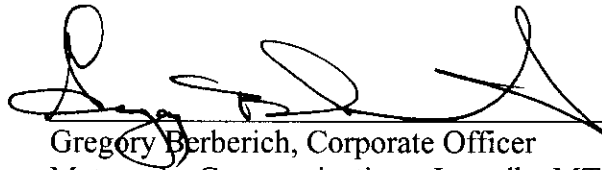
That I am a corporate officer of Matanuska Communications Inc. formerly Matanuska-Kenai, Inc. dba MTA Wireless (MTAW), and I am authorized to execute this affidavit on behalf of MTAW.

That MTAW is not regulated by the Regulatory Commission of Alaska, and is required by 47 CFR 54.314 of the Federal Communications Commission's rules to self-certify as to its use of high-cost universal service support.

I certify that all High Cost Loop universal service support provided to MTAW will be used only for the provision, maintenance and upgrading of facilities and services for which this support is intended, pursuant to Section 254(e) of the Telecommunications Act.

That a copy of this affidavit is being delivered to the Secretary of the
Federal Communications Commission and the Administrator of the Universal Service
Administration Company.

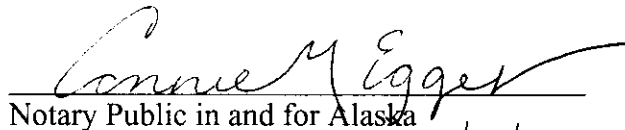
DATED this 29th day of September, 2005.



Gregory Berberich, Corporate Officer
Matanuska Communications, Inc., dba MTA Wireless

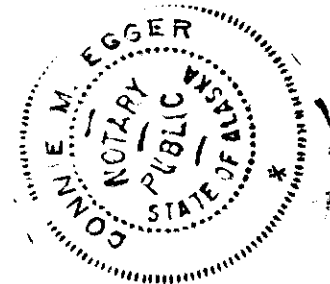
SUBSCRIBED AND SWORN to before me this 29th day of September,

2005.



Notary Public in and for Alaska

My Commission Expires: 8/7/2007



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SEP 30 2005

FCC - MAILROOM

STATE OF ALASKA

THE REGULATORY COMMISSION OF ALASKA

Before Commissioners:

Kate Giard, Chairman
Dave Harbour
Mark K. Johnson
Anthony A. Price
James S. Strandberg

In the Matter of the Application for Transfer of
Certificate of Public Convenience and Necessity
No. 440 to Operate as a Cellular Telephone
Provider from Matanuska-Kenai, Inc. to MTA
Communications, Inc.

U-04-115

ORDER NO. 1

**ORDER RECOGNIZING AFFILIATE MERGER, AMENDING
CERTIFICATE, ADDRESSING ISSUES AND CLOSING DOCKET**

BY THE COMMISSION:

Summary

We acknowledge transfer of Certificate of Convenience and Public
Necessity (Certificate) No. 440 from Matanuska-Kenai, Inc. d/b/a Cellular Connection
(MTAW)¹ to MTA Communications, Inc. d/b/a MTA Wireless (MTAC) and we amend the
Certificate accordingly. We direct MTAC to fulfill the eligible telecommunications carrier

¹Certificate No. 440 is currently issued to Matanuska-Kenai, Inc. d/b/a Cellular
Connection (MKI). MKI used the Cellular Connection name until 1998 when it started
marketing cellular telecommunications services under the name of MTA Wireless.
While this change was reflected on the state business license in November 1998, MKI
did not file a name change with our predecessor, the Alaska Public Utilities
Commission, or with us. We acknowledge that Matanuska-Kenai, Inc. d/b/a MTA
Wireless (MTAW) is the entity merging with MTA Communications, Inc. Therefore, in
this Order, we use MTAW as the acronym for the holder of Certificate No. 440.

1 obligations assigned to Matanuska-Kenai, Inc. d/b/a MTA Wireless in
2 Order U-03-86(3).² We return Exhibit B to MTAW and close this Docket.

3 Background

4 MTAW and MTA Communications, Inc. filed a joint application on
5 December 22, 2004, to transfer MTAW's Certificate to provide wireless service to
6 MTAC. The application was accompanied by a petition for confidential treatment of
7 MTAW's Continuing Property Records and 2004 Capital Plant Additions, filed as
8 Exhibit B in support of the transfer application.

9 Discussion

10 The Certificate transfer is necessitated by the merger of MTAW into MTA
11 Communications, Inc. The purpose of the affiliate merger is to benefit from increased
12 efficiencies within the organization by collapsing one affiliate into another with
13 Matanuska Telephone Association, Inc. still holding 100 percent of the controlling
14 interest of the surviving affiliate. Upon completion of the merger, MTAW will become
15 MTAC.³

16 MTAW applied for and received a Certificate in the early 1990s before
17 passage of a federal law that substantially preempts state authority over wireless rates
18 and services. Due to the federal law, we have not enforced our authority over
19 certification of wireless carriers. We have allowed wireless carriers to implement
20

21
22 ²Order Approving Application for ETC Status, Requiring Filings, and Closing
23 Docket, dated December 8, 2004. Docket U-03-86 is titled *In the Matter of the Request*
24 *by MATANUSKA-KENAI, INC., d/b/a MTA WIRELESS, for Designation as a Carrier*
Eligible to Receive Federal Universal Service Support Under Telecommunications Act
of 1996.

25 ³Motion for Expedited Consideration of Matanuska-Kenai Inc.'s Application to
26 Transfer CPCN #440 to MTA Communications, Inc. at 2, filed December 22, 2004.

1 changes in control without our approval.⁴ Because the pending application involves the
2 merger of two unregulated affiliates with no apparent material change in operations, we
3 proceed consistent with our past enforcement policy and take no action to prevent the
4 transfer. We acknowledge the transfer and amend Certificate No. 440 to reflect the
5 change in structure.

6 Eligible Telecommunications Carrier Obligation

7 In Order U-03-86(3) we approved the application filed by MTAW for status
8 as an eligible telecommunications carrier (ETC) for purposes of receiving federal and
9 state universal service funding in the areas served by Matanuska Telephone
10 Association, Inc. We also ordered MTAW to file "as if it were a regulated carrier in
11 response to our requests for information for the annual use-of-funds certifications to the
12 Federal Communications Commission."⁵ Though the merger agreement addresses the
13 liabilities, obligations and penalties of MTAW by stating that the surviving corporation
14 shall be responsible,⁶ we wish to clearly state that this ETC obligation and status
15 passes to the surviving entity, MTAC.

16 Request for Confidential Treatment

17 The applicants requested confidential treatment of certain information filed
18 with their transfer application. We did not review or consider the information filed under
19 seal⁷ to reach a decision. We direct Commission Staff to return the documents filed
20 under seal to MTAW. Because we did not consider the information that was filed under

21
22 ⁴See letter from Dave Harbour, Commission Chair, to K. Nielsen, Manager, AT&T
Wireless, dated June 23, 2003.

23 ⁵Ordering Paragraph No. 2 of Order U-03-86(3), dated December 8, 2004.

24 ⁶Exhibit A, *Agreement and Plan of Merger* at 2, filed December 22, 2004.

25 ⁷Continuing Property Records and 2004 Capital Plant Additions that were filed on
26 December 22, 2004 as Exhibit B in support of the transfer application.

1 seal and because the information is being returned to MTAW, the issue of confidential
2 treatment is moot.

3 Close Docket

4 No substantive or procedural matters remain in this proceeding and there
5 are no costs under AS 42.05.651 and 3 AAC 48.157. Therefore, we close this Docket.

6 ORDER

7 THE COMMISSION FURTHER ORDERS:

8 1. The eligible telecommunications carrier status and obligations of
9 Matanuska-Kenai Inc. d/b/a MTA Wireless are transferred to MTA Communications, Inc.
10 d/b/a MTA Wireless.

11 2. Docket U-04-115 is closed.

12 DATED AND EFFECTIVE at Anchorage, Alaska, this 21st day of January, 2005.

13 BY DIRECTION OF THE COMMISSION
14 (Commissioners Dave Harbour
and Mark K. Johnson, not participating.)



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SEP 30 2005

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STATE OF ALASKA

THE REGULATORY COMMISSION OF ALASKA

Before Commissioners:

Kate Giard, Chairman
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In the Matter of the Application for Transfer of
Certificate of Public Convenience and Necessity
No. 440 to Operate as a Cellular Telephone
Provider from Matanuska-Kenai, Inc. to MTA
Communications, Inc.

U-04-115

CERTIFICATION OF MAILING

I, Natasha L. Odom-Brown, certify as follows:

I am Administrative Clerk III in the offices of
the Regulatory Commission of Alaska, 701 West Eighth Avenue, Suite 300,
Anchorage, Alaska 99501. On January 21st, 2005, I mailed
copies of

Order No. 1, entitled:

**ORDER RECOGNIZING AFFILIATE MERGER, AMENDING
CERTIFICATE, ADDRESSING ISSUES AND CLOSING DOCKET**
(Issued January 21, 2005)

in the proceeding identified above to the persons indicated on the attached service list.

DATED at Anchorage, Alaska, this 21st day of January, 2005.

Natasha L. Odom-Brown

Regulatory Commission of Alaska
701 West Eighth Avenue, Suite 300
Anchorage, Alaska 99501
(907) 276-6222; TTY (907) 276-4533

Map

Directions

Floor Plan

Field Offices

General Information

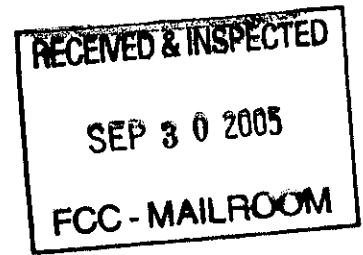
Northeast Region

South Central Region

Western Region

Mailing Addresses

Secretary
Federal Communications Commission
Office of the Secretary
c/o Natek, Inc.
236 Massachusetts Avenue, NE
Suite 110
Washington, DC 20002
(8:00 a.m. to 7:00 p.m.)



***Other Messenger-Delivered Documents,
Including Documents Sent by Overnight Mail
(other than United States Postal Service Express Mail and
Priority Mail):***

→ Secretary
Federal Communications Commission
Office of the Secretary
9300 East Hampton Drive
Capitol Heights, MD 20743
(8:00 a.m. to 5:30 p.m.)

} Fed Ex
address

Internet Address

<http://www.fcc.gov>

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